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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,138	11/15/2001	Stefan Kemper	10008052-1	6008

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EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/003,138	KEMPER, STEFAN	
	Examiner	Art Unit	
	Kaveh Abrishamkar	2131	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the amendment received on June 7, 2005. Claims 1-20 were originally received for consideration. Per the received amendment, claims 1,7,13, and 19 have been amended. No claims were cancelled or added. Claims 1-20 are currently being considered.

### ***Response to Arguments***

2. Applicant's arguments filed on June 7, 2005 have been fully considered but they are not persuasive because:

Regarding independent claims 1,7,13, and 19, the applicant argues that the CPA, Henry et al. (U.S. Patent No. 6,856,800), does not teach the newly added limitation of "means for providing predefined restricted temporary access to the device if the user is locally authenticated" and "means for removing the restricted temporary access to predefined access areas if remote authentication is successful." This argument is not found persuasive. The examiner notes that there is no explicit mention of the terms "restricted access" or "access areas." Therefore, using the interpretation of "restricted access" as being less than the full access. Therefore, the CPA is believed to

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teach these aspects as after a local authentication, only a temporary access is granted to a user (Figure 4 item 404, column 3 lines 5-33), which is restricted in the terms that it has a limited valid time span. Therefore, with this view of "restricted area" and interpreting "access areas" as the areas that are accessed during the temporary access, the CPA is believed to teach these new limitations. Furthermore, regarding claim 19, the applicant argues that the CPA does not teach newly added limitation "means for limiting a number of times that a particular client database and/or record in any, or all, of the client databases will be updated during any period of time and/or total number of updates." Applicant's arguments with respect to claim 19 have been considered but are moot in view of the new ground(s) of rejection using Hosein et al. (U.S. Patent No. 6,430,694).

The rejections for the claims 1-20 are given below.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1,7,13, and 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Page 13, lines 4-13, correspond to

paragraph 31, of the applicant's patent publication. This disclosure is not sufficient to convey to one of ordinary skill in the art that the applicant's invention included "restricted temporary access" or "predefined access areas." These two limitations have not been sufficiently disclosed in the specification.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Henry et al. (U.S. Patent No. 6,856,800).

Regarding claim 1, Henry discloses:

A secure computer device, comprising:

***"means for locally-authenticating a user of the device"*** (column 2 lines 12-39, column 3 lines 1-9, column 4 lines 3-24), wherein an access point receives an

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authentication credential from a network device (secure computer device) and can locally authenticate the user;

***“means for providing predefined restricted temporary access to the device is the user is locally authenticated”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access;

***“means for generating a remote authentication request after a successful local authentication of the user”*** (column 3 lines 6-9, column 4 lines 27-30), wherein after the local authentication of the user, the access point forwards the submitted credentials to a remote AAA server, which then performs the entire authentication process; and

***“means for removing the restricted temporary access to predefined access areas if remote authentication is successful”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Henry discloses:

The device recited in claim 1, further comprising ***“means for authorizing the user in response to the successful local authentication”*** (column 3 lines 1-9), wherein the access point can locally authenticate a user and then grant temporary access to the user immediately after the successful completion of the local authentication process.

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Henry discloses:

The device recited in claim 2, further comprising “***means for withdrawing the authorization in response to a reply from the server***” (column 3 lines 7-9, column 5 lines 4-17), wherein the remote server determines if the credentials are valid, and if the credentials are determined to be invalid, a message is sent to the access point which terminates the user’s temporary access.

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Henry discloses:

The device recited in claim 1 further comprising “***means for updating the local authenticating means in response to a reply from the server***” (column 3 lines 27-32), wherein the local database is updated with the revocation information.

Claim 5 is rejected as applied above in rejecting claim 2. Furthermore, Henry discloses:

The device recited in claim 2 further comprising “***means for updating the local authenticating means in response to a reply from the server***” (column 3 lines 27-32), wherein the local database is updated with the revocation information.

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Henry discloses:

The device recited in claim 3 further comprising “***means for updating the local authenticating means in response to a reply from the server***” (column 3 lines 27-32), wherein the local database is updated with the revocation information.

5. Claims 7 – 12 are method claims analogous to the apparatus claims 1-6 rejected above, and therefore, are rejected following the same reasoning.

6. Claims 13 – 18 are computer-readable medium claims analogous to the apparatus claims 1-6 rejected above, and therefore, are rejected following the same reasoning.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry et al. (U.S. Patent No. 6,856,800) in view of Hosein et al. (U.S. Patent No. 6,430,694).

Regarding claim 19, Henry discloses:

***“a client having a client database for locally-authenticating a user”*** (column 2 lines 12-39, column 3 lines 1-9, column 4 lines 3-24), wherein an access point



receives an authentication credential from a network device (secure computer device) and can locally authenticate the user;

***“an authentication device that provides predefined restricted temporary access if the user is locally authenticated”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access;

***“a server, in communication with the client, having a server database for remotely-authenticating the use in response to a request from the client after a successful local authentication”*** (column 3 lines 6-9, column 4 lines 27-30), wherein after the local authentication of the user, the access point forwards the submitted credentials to a remote AAA server, which then performs the entire authentication process;

***“wherein the authentication device removes the restricted temporary access if remote authentication is successful”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access;

***“means for updating the client database according to the results of the local and remote authentication”*** (column 3 lines 27-32), wherein the local database is updated with the revocation information.

Henry does not explicitly disclose ***“means for limiting a number of times that a particular client database and/or record in any, or all, of the client databases will***

***be updated during any period of time and/or total number of updates***". However, Hosein discloses a database system, which is modified to include the ability to limit the number of data updates, which may be outstanding to the plurality of distributed databases during any particular period of time (column 2 lines 59-67). Henry and Hosein are analogous arts in that both utilize database systems. Hosein uses a modified database system, which can be implemented on any database to limit the number of data updates, which may be outstanding to the plurality of distributed databases during any particular period of time. This would have been obvious to modify the database system of Henry to limit the number of updates in order to avoid the possibility of having databases not being synchronized. This would be disadvantageous in the system of Henry, because it would be beneficial to have all the local authentication clients (access points) to be synchronized with each other, so that a user that is being authenticated at one access point would receive the same authentication at another access point at approximately the same time (column 2 lines 43-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the database system of Henry to include the maximum number of outstanding updates, so that the local authentication databases of the local authenticating clients would be synchronized.

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Henry discloses:

The secure computer system recited in claim 19, further comprising:

***“means for authorizing a user in response to a successful local authentication”*** (column 3 lines 1-9), wherein the access point can locally authenticate a user and then grant temporary access to the user immediately after the successful completion of the local authentication process; and

***“means for withdrawing the authorization in response to an unsuccessful remote authentication”*** (column 3 lines 7-9, column 5 lines 4-17), wherein the remote server determines if the credentials are valid, and if the credentials are determined to be invalid, a message is sent to the access point which terminates the user’s temporary access.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3786. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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8/16/05

  
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